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OGC 7-1622a

OGC Has Reviewed

30 September 1957

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: Dependent Medical Program - Claim of
[REDACTED]

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1. This memorandum is for information only.
2. Returned is the memorandum from the Director of Personnel to the Deputy Director (Support) dated 25 September 1957, same subject as above. You requested our review as to legality of payment.
3. This case presents the simple issue of whether or not the Deputy Director (Support) may approve certain travel expenses for employees' dependents for purposes of obtaining medical treatment which expenses were incurred prior to 21 September 1956. On that date the Acting Director approved the adoption of a program by CIA for payment of such expenses.
4. It is clear under the circumstances that as of the time the expenses in this case were incurred there existed no authority for the Deputy Director (Support) to approve payment. Due to the nature of the expenditures the authority vested in the Deputy Director (Support) by paragraph 9 a. of Agency Regulation [REDACTED] was not and is not applicable. This is confirmed by the fact that it was determined necessary to secure the Director's approval for payment of expenses of this type. Since the Deputy Director (Support) did not have the authority at the time the expenses were incurred, we do not believe that the Director's subsequent approval of the over-all program granted the Deputy Director (Support) retroactive authority.

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5. On the basis of the facts in the case as presented the only legal issue appears to be as expressed above and in such circumstances it is our opinion that the Deputy Director (Support) does not have authority to approve the payment in question.

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Deputy General Counsel

Attachments

cc: Director of Personnel
Comptroller

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